

Application Serial No. 09/843,073
Amendment submitted with RCE dated December 30, 2003
Reply to final Office action of October 6, 2003

REMARKS

Claims 1 through 6 and 8 through 13 are pending in this application. Claims 1, 10, and 13 are amended herein. Claim 7 is cancelled herein. Support for the amendments to claims 1, 10, and 13 may be found in claim 7 as originally filed. Further reconsideration of the application is requested based on the foregoing amendment and the following remarks.

Claim Rejections - 35 U.S.C. § 103:

Claims 1 through 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kimura, US 6,322,875, in view of Kenmochi, US 6,084,190. The rejection is traversed. The recitation of claim 7 has been incorporated into each of claims 1, 10, and 13, and claim 7 has been cancelled. It is submitted that claims 1, 10, and 13 were allowable in the absence of the amendments. Claims 1, 10, and 13 are amended strictly in the interest of compact prosecution, and not for any reason of patentability. Reconsideration of the rejection is respectfully requested.

Claim 1 recites, in pertinent part,

“a molded film which is formed over the surface of said undercoat layer so as to cover said undercoat layer and which allows transmission of the metallic color of said undercoat layer.”

Kimura neither teaches, discloses, nor suggests a molded film, as acknowledged graciously in the final Office action. The final Office action proposes to remedy this deficiency of Kimura by combining it with Kenmochi, asserting that “(t)he film on the key top is formed by resin molding.” This is submitted to be incorrect.

In Kenmochi, rather, key top 2 *itself* is formed by resin molding, not film 6 *on* the key top, as described at column 5, lines 48 and 49. Thus, neither Kimura nor Kenmochi teach, disclose, or suggest a molded film which is formed over the surface of an undercoat layer so as to cover the undercoat layer and which allows transmission of a metallic color of the undercoat layer, as recited in claim 1.

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Since neither Kimura nor Kenmochi teach, disclose, or suggest a molded film which is formed over the surface of an undercoat layer so as to cover the undercoat layer and which allows transmission of a metallic color of the undercoat layer, their combination cannot, either. Claim 1 is thus submitted to be allowable.

Claim 1 recites further,

“wherein said protective film substantially prevents heat from being conveyed from said base body to said undercoat layer.”

Neither Kimura nor Kenmochi teach, disclose, or suggest a protective film that substantially prevents heat from being conveyed from a base body to an undercoat layer. Since neither Kimura nor Kenmochi teach, disclose, or suggest a protective film that substantially prevents heat from being conveyed from a base body to an undercoat layer, their combination cannot, either.

Furthermore, modifying a reference so as to render it unsuitable for its intended purpose is prohibited by M.P.E.P. §2143.02. An intended purpose of Kimura is to provide a “decoration key top having a fine and high grade aspect” as described at column 1, lines 5 and 6. Kenmochi discloses forming a key top by resin molding at column 2, line 3. If the resin molding process of Kenmochi were used to form Kimura’s key top, the heat attributed to resin molding would impair aesthetically Kimura’s inorganic thin membrane 5, and Kimura would no longer provide a decoration key top having a fine and high grade aspect. The modification proposed in the final Office action would thus render Kimura unsuitable for its intended purpose, in contravention of M.P.E.P. §2143.02. The undercoat layer recited in claim 1, on the other hand, will be substantially protected from heat being conveyed from the base body by the protective film. Thus the undercoat layer’s metallic color will not be impaired by heat attributed to the resin molding process. Claim 1 is thus submitted to be allowable. Withdrawal of the rejection of claim 1 is earnestly solicited.

Claims 2 through 6, 8, and 9 depend from claim 1 and add further distinguishing

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elements. Claims 2 through 6, 8, and 9 are thus also submitted to be allowable. Withdrawal of the rejection of claims 2 through 6, 8, and 9 is earnestly solicited.

Claim 10 recites, in pertinent part,
"molding a molded film in a button shape."

It is submitted respectfully that neither Kimura nor Kenmochi teach, disclose, or suggest molding a molded film in a button shape. Neither Kimura nor Kenmochi, in fact, show any molded film at all, as discussed above with respect to claim 1. Since neither Kimura nor Kenmochi teach, disclose, or suggest molding a molded film in a button shape, their combination cannot, either. Claim 10 is thus submitted to be allowable.

Claim 10 recites further,
"preventing heat from being conveyed substantially from said base body to said undercoat layer with said protective film."

Neither Kimura nor Kenmochi teach, disclose, or suggest a protective film that substantially prevents heat from being conveyed from a base body to an undercoat layer, as discussed above with respect to claim 1. Since neither Kimura nor Kenmochi teach, disclose, or suggest a protective film that substantially prevents heat from being conveyed from a base body to an undercoat layer, their combination cannot, either. Claim 10 is thus submitted to be allowable. Withdrawal of the rejection of claim 10 is earnestly solicited.

Claims 11 and 12 depend from claim 10 and add further distinguishing elements. Claims 11 and 12 are thus also submitted to be allowable. Withdrawal of the rejection of claims 11 and 12 is earnestly solicited.

Claim 13 recites, in pertinent part,
"said layered film is molded so that a back surface of said protective film covers said base body of said button."

Neither Kimura nor Kenmochi teach, disclose, or suggest a molded film, as discussed above with respect to claim 1. Since neither Kimura nor Kenmochi teach,

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disclose, or suggest a molded film, their combination cannot, either. Claim 13 is thus submitted to be allowable.

Claim 13 recites further,

"a protective film formed between said base body and said undercoat layer in order to prevent heat from being conveyed from said base body to said undercoat layer."

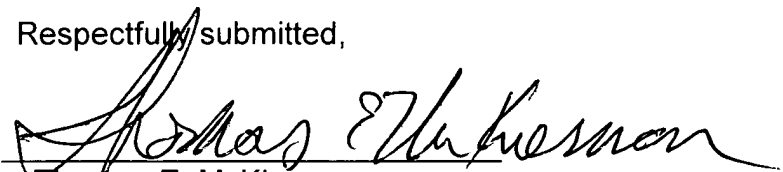
Neither Kimura nor Kenmochi teach, disclose, or suggest a protective film that substantially prevents heat from being conveyed from a base body to an undercoat layer, as discussed above with respect to claim 1. Since neither Kimura nor Kenmochi teach, disclose, or suggest a protective film that substantially prevents heat from being conveyed from a base body to an undercoat layer, their combination cannot, either. Claim 13 is thus submitted to be allowable. Withdrawal of the rejection of claim 13 is earnestly solicited.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all claims 1 through 6 and 8 through 13 are allowable over the cited references. Allowance of all claims 1 through 6 and 8 through 13 and of this entire application are therefore respectfully requested.

Respectfully submitted,

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